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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

MARIA SANTOS,

Plaintiff,

V.

ACCOUNTS RECEIVABLE
MANAGEMENT, INC.,
a New Jersey corporation,

Defendant.

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CIVIL ACTION FILE

NO. 4:09-CV-002

-HILMA

COMPLAINT FOR DAMAGES

INTRODUCTION

1. This is an action for damages against the defendant for violations of the Federal Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq.

SUBJECT MATTER JURISDICTION

2. Subject matter jurisdiction in this Court is proper pursuant to 15 U.S.C. § 1692k(d) and 28 U.S.C. § 1337 (federal question jurisdiction).

PARTIES AND PERSONAL JURISDICTION

3. Plaintiff is a resident of this State, District and Division and is authorized by law to bring this action.
4. Defendant ACCOUNTS RECEIVABLE MANAGEMENT, INC. is a corporation organized under the laws of the State of New Jersey.
[Hereinafter, said Defendant is referred to as "ARM."]
5. ARM is subject to the jurisdiction and venue of this Court.
6. ARM may be served by personal service upon an authorized agent at its principal place of business in the State of New Jersey, to wit: 155 Mid Atlantic Parkway, Thorofare, New Jersey 08086.
7. Alternatively, ARM may be served by personal or substitute service pursuant to the Federal Rules of Civil Procedure and, as applicable, the laws of the states of Georgia of New Jersey.

FACTS COMMON TO ALL CAUSES

8. ARM uses the mails in its business.
9. ARM uses telephone communications in its business.
10. The principle purpose of ARM's business is the collection of debts.

11. ARM regularly collects or attempts to collect debts owed or due, or asserted to be owed or due, another.
12. ARM is a debt collector subject to the provisions of the Fair Debt Collection Practices Act.
13. In the course of attempting to collect a debt allegedly due from Plaintiff to a business not a party to this litigation, ARM communicated with Plaintiff in a manner which violated the Federal Fair Debt Collection Practices Act.
14. In or around August 2008, ARM left a voice communication for Plaintiff.
15. In the telephone communication, ARM failed to meaningfully disclose its identity.
16. In the telephone communication, ARM did not state that the communication was from a debt collector.
17. In the telephone communication, ARM did not state that the communication was an attempt to collect a debt.
18. Defendant's communication violates the Fair Debt Collection Practices Act.
19. Plaintiff has complied with all conditions precedent to bring this action.

CAUSE OF ACTION

FAIR DEBT COLLECTION PRACTICES ACT


20. The acts of Defendant constitute violations of the Fair Debt Collection Practices Act.
21. Defendant's violations of the FDCPA include, but are not limited to, the following:
 22. The placement of telephone calls without meaningful disclosure of the caller's identity, in violation of 15 U.S.C. § 1692d(6);
 23. The use of any false, deceptive, or misleading representations or means in connection with the collection of any debt, in violation of 15 U.S.C. section 1692e; and
 24. The failure to disclose in subsequent communications that the communication is from a debt collector, in violation of 15 U.S.C. § 1692e(11).
25. As a result of Defendant's actions, Plaintiff is entitled to an award of statutory damages, as well as an award of costs and attorney fees.

WHEREFORE, PLAINTIFF RESPECTFULLY PRAYS THAT
JUDGMENT BE ENTERED AGAINST DEFENDANT AND IN FAVOR OF
PLAINTIFF, AS FOLLOWS:

- a) That Plaintiff be awarded statutory damages;
- b) That Plaintiff be awarded the expenses of litigation including a
reasonable attorney fee;
- c) That the Court declare each and every defense raised by Defendant to
be insufficient; and
- d) That the Court grant such further and additional relief as is just in the
circumstances.

Respectfully submitted,

THE LAW OFFICE OF KRIS SKAAR, P.C.

by: 
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